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11 Attorneys for Plaintiff
12 CLOAKWORKS, INC.

13
14 UNITED STATES DISTRICT COURT
15 FOR THE NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 CLOAKWORKS, INC.

18 Plaintiff,

19 v.

20 CLOAKWARE, INC.,

21 Defendant.

22
23 AND RELATED COUNTERCLAIM
24
25
26
27
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Case No. CV 08-02044 PJH

**REPLY TO CLOAKWARE, INC.'S
ANSWER AND ORIGINAL
COMPLAINT FOR PATENT
INFRINGEMENT AND
COUNTERCLAIM**

DEMAND FOR JURY TRIAL

1 Plaintiff and Counterdefendant, Cloakworks answers as follows to the Counter-
2 Complaint of Defendant and Counter-claimant, Cloakware dated June 11, 2008 ("the
3 Counterclaims").

4 1. Admitted.

5 2. Admitted.

6 3. Admitted.

7 4. Admitted.

8 5. Admitted.

9 6. Admitted.

10 7. Admitted except as Cloakware's denial, Cloakworks admits only that
11 Cloakware has denied infringement and asserts invalidity and/or unenforceability.
12

13 8. Admitted.

14 **FIRST COUNTERCLAIM**
15 (Declaration of Non-Infringement)

16 9. Cloakworks repeats its responses to paragraphs 1 through 8, inclusive, as
17 though fully set forth herein by this reference.

18 10. Denied.

19 11. Denied.

20 **SECOND COUNTERCLAIM**
21 (Declaration of Invalidity)

22 12. Cloakworks repeats its responses to paragraphs 1 through 11, inclusive, as
23 though fully set forth herein by this reference.

24 13. Denied.

25 14. Denied.

PRAYER

WHEREFORE, Cloakworks prays for judgment that:

A. Cloakware's Counter-Claim be dismissed in its entirety with prejudice;

B. Cloakware is not entitled to the relief prayed for in its Counter-Claim, or any relief whatsoever;

C. Cloakworks be awarded its costs and disbursements, including attorney fees; and

D. Such other and further relief to Cloakworks as the Court may deem appropriate.

DEMAND FOR JURY TRIAL

In accordance with Fed.R.Civ.P. 38(b), Cloakworks demands a trial by jury on all issues so triable.

Dated: July 1, 2008

Respectfully submitted,

/s/ Spencer Hosie

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CLOAKWORKS, INC.

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